

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**(ROANOKE DIVISION)**

UNITED STATES OF AMERICA, ET AL.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 7:16-cv-00462-GEC
v.	)	
	)	
SOUTHERN COAL CORPORATION, ET AL.,	)	
	)	
Defendants.	)	
	)	
	)	

**THE UNITED STATES', STATE OF ALABAMA'S, AND  
THE STATE OF TENNESSEE'S MOTION TO COMPEL COMPLIANCE  
WITH THE CONSENT DECREE**

On December 19, 2016, the Court entered a Consent Decree ("CD") in the above-captioned action. (Docket No. 21). The CD resolved all claims alleged by the United States, the State of Alabama, the Commonwealth of Kentucky, the State of Tennessee, and the Commonwealth of Virginia in the Complaint filed in this action against Southern Coal Corporation, *et al.* for violations of the Clean Water Act. (Docket No. 21).

Defendants Southern Coal Corporation, Premium Coal Company, Inc., and Justice Coal of Alabama, LLC have repeatedly failed to comply with the Court's requirements under the CD, including timely completing necessary work to prevent additional CD violations and paying of stipulated penalties for their past violations of the CD. As a result of the Defendants' failure to comply with the Court's CD requirements as more fully described in the memorandum in support of this motion, the United States, the State of Alabama, and the State of Tennessee

request that the Court order the Defendants Southern Coal Corporation, Premium Coal Company, Inc., and Justice Coal of Alabama, LLC to complete all necessary work and pay stipulated penalties as required by this Court under the CD.

Respectfully submitted,

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/s/ Patrick Casey  
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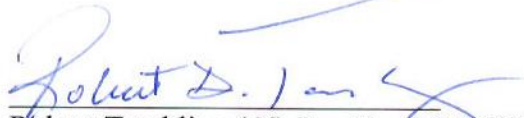
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FOR THE STATE OF ALABAMA

A handwritten signature in blue ink, appearing to read "Robert D. Tambling", is written over a horizontal line.

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### **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served upon all counsel of record through the court's CM/ECF system on this 11th day of March, 2021.

/s/ Patrick Casey

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United States Department of Justice